

### REMARKS

This Amendment After Final Rejection is submitted in response to the outstanding final Office Action, dated December 26, 2008. Claims 1 through 19 are presently pending in the above-identified patent application. In this response, applicants  
5 proposes to amend claims 12, 14, and 18. No additional fee is due.

This amendment is submitted pursuant to 37 CFR §1.116 and should be entered. The Amendment places all of the pending claims, i.e., claims 1 through 19, in a form that is believed allowable, and, in any event, in a better form for appeal. It is believed that examination of the pending claims as amended, which are consistent with  
10 the previous record herein, will not place any substantial burden on the Examiner. In any case, a Request for Continued Examination is being submitted herewith.

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by Abecassis (United States Patent Number 6,408,128).

#### Independent Claims 1, 5, 8, 12, 14 and 18

Independent claims 1, 5, 8, 12, 14 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by Abecassis. Regarding claim 1, the Examiner asserts that Abecassis teaches wherein the digest server converts the meta data into characteristic values (col. 19, lines 35-55), wherein the digest server calculates an importance level for each of a plurality of content segments (col. 56, lines 49-54). In the Response to  
15 Arguments section of the final Office Action, the Examiner asserts that Abecassis teaches “the video map could ...provide information which may be utilized to assess the relative importance of segments’ (col. 56, lines 49-54), where ‘[t]he video map’s data is provided with the video’s video and audio data’ (col. 16, lines 35-37), therefore the video digest ‘automatically’ assigns the importance level before the data is delivered to the client.”  
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Applicants note that Abecassis teaches  
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a viewer may achieve desired results by specifying in addition to, or instead of the search rate, the percentage of the video and/or each segment, and/or the amount of time as a minimum or maximum given the length of the segment. For example, twenty percent of each  
30 segment but not more than two minutes nor less than 30 seconds from each segment. FIG. 14C illustrates a second instance 1434 in which, by this method, a proportional amount from each segment is played subject to

the minimum and maximum specified amount for each segment. A proportional amount played may also be subject to, e.g., factor in, the relevance rating code previously detailed.  
(Col 56, lines 49-54 )

5 Applicants also note that, in the text cited by the Examiner, Abecassis teaches that “the video map could . . . provide information which may be utilized to assess the relative importance of segments.” Contrary to the Examiner’s assertion, Abecassis does *not* disclose or suggest that the alleged video digest *automatically assigns the importance level before the data is delivered to the client*. Independent claim 1 requires  
10 *wherein the digest server converts the meta data into characteristic values, wherein the digest server calculates an importance level for each of a plurality of content segments*. Independent claim 5 requires *importance level estimation means, for estimating an importance level* for each of a plurality of content segments. Independent claim 8 requires a meta data characteristic value database adapted to store characteristic values  
15 obtained from meta data included in video content; *an importance level calculator adapted to estimate an importance level for each of a plurality of scenes in the video content*.

Independent claims 12, 14, and 18 have been amended to incorporate the limitation of claim 1 directed to automatically assigning the importance level. In  
20 particular, independent claims 12 and 18 have been amended to require *wherein said video digest is created based on a processor-generated importance level for each of a plurality of content segments*. Independent claim 14 has been amended to require *calculating a video importance level for each scene based on a probability and based on a determined content score for the scene . . . and wherein said video importance level is*  
25 *calculated by a processor*. Support for this amendment can be found on page 6, lines 22-24, of the originally filed disclosure where it is taught that “importance level calculator 34 calculates the importance level for each scene.”

Thus, Abecassis does not disclose or suggest wherein the digest server converts the meta data into characteristic values, wherein the digest server calculates an  
30 importance level for each of a plurality of content segments, as required by independent claim 1, does not disclose or suggest importance level estimation means, for estimating

an importance level for each of a plurality of content segments, as required by independent claim 5, does not disclose or suggest a meta data characteristic value database adapted to store characteristic values obtained from meta data included in video content; and an importance level calculator adapted to estimate an importance level for each of a plurality of scenes in the video content, as required by independent claim 8, does not disclose or suggest wherein said video digest is created based on a processor-generated importance level for each of a plurality of content segments, as required by independent claims 12 and 18, as amended, and does not disclose or suggest calculating a video importance level for each scene based on a probability and based on a determined content score for the scene ... and wherein said video importance level is calculated by a processor, as required by independent claim 14, as amended.

Dependent Claims 2-4, 6-7, 9-11, 13, 15-17 and 19

Dependent claims 2-4, 6-7, 9-11, 13, 15-17 and 19 were rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis.

Claims 2-4, 6-7, 9-11, 13, 15-17 and 19 are dependent on claims 1, 5, 8, 12, 14, and 18, respectively, and are therefore patentably distinguished over Abecassis because of their dependency from amended independent claims 1, 5, 8, 12, 14, and 18 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-19, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

/Kevin M. Mason/

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